

Union Calendar No. 196

103D CONGRESS
1ST SESSION

H. R. 2620

[Report No. 103-362]

A BILL

To authorize the Secretary of the Interior to acquire certain lands in California through an exchange pursuant to the Federal Land Policy and Management Act of 1976.

NOVEMBER 15, 1993

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

JULY 13, 1993

Mr. MATSUI (for himself and Mr. HERGER) introduced the following bill;
which was referred to the Committee on Natural Resources

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on the State of the Union, and ordered to be printed

[Insert the part printed in italic]

A BILL

To authorize the Secretary of the Interior to acquire certain lands in California through an exchange pursuant to the Federal Land Policy and Management Act of 1976.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS AND PURPOSE.**

4 (a) FINDINGS.—The Congress finds—

1 (1) the Bureau of Land Management desires to
2 obtain the lands described in section 3(a) for pur-
3 poses of an access and staging area being planned
4 in cooperation with the National Park Service;

5 (2) the lands described in section 3(b) con-
6 stitute an isolated tract acquired by the United
7 States in 1936 for purposes of a Forest Service fire
8 lookout, but such lands are no longer needed for
9 that or any other National Forest purpose, and all
10 improvements have been removed from such lands;

11 (3) the lands described in section 3(b) are en-
12 tirely surrounded by private lands owned by a family
13 one of whose members also owns the lands described
14 in section 3(a); and

15 (4)(A) the owners of the land described in sec-
16 tion 3(a) are willing to transfer those lands to the
17 United States in exchange for the lands described in
18 section 3(b); but

19 (B) under existing law, such an exchange can-
20 not be accomplished administratively.

21 (b) PURPOSE.—The purpose of this Act is to author-
22 ize the Secretary of the Interior to acquire the lands de-
23 scribed in section 3(a) through an equal-value exchange
24 for the lands described in section 3(b).

1 **SEC. 2. AUTHORIZATION FOR EXCHANGE.**

2 Solely for purpose of acquisition by the Secretary of
3 the Interior (on behalf of the United States) of the lands
4 described in section 3(a) through an equal-value exchange
5 pursuant to section 206 of the Federal Land Policy and
6 Management Act of 1976 (43 U.S.C. 1716), the lands de-
7 scribed in section 3(b) shall, for the 36-month period be-
8 ginning on the date of enactment of this Act, be deemed
9 to be public lands, as defined in section 103(e) of such
10 Act (43 U.S.C. 1702(e)).

11 **SEC. 3. LAND DESCRIPTIONS.**

12 (a) OHV AREA TRACT.—The lands whose acquisition
13 through exchange is specifically authorized by this Act are
14 described as follows: S¹/₂SW¹/₄ of section 26, township 33
15 north, range 7 west, Mount Diablo Base and Meridian,
16 Shasta County, California, comprised of 80 acres, more
17 or less.

18 (b) DELTA POINT LOOKOUT TRACT.—The lands
19 which under this Act are deemed to be public lands for
20 purposes of exchange is a parcel described as follows:
21 Mount Diablo Meridian, township 36 north, range 5 west,
22 section 23, SW¹/₄NW¹/₄SE¹/₄, NW¹/₄SW¹/₄SE¹/₄,
23 SE¹/₄NE¹/₄SW¹/₄, NE¹/₄SE¹/₄SW¹/₄, comprised of 40
24 acres, more or less.

1 **SEC. 4. ACQUISITION.**

2 *Section 104 of the Everglades National Park Protec-*
3 *tion and Expansion Act of 1989 (16 U.S.C. 410r-8) is*
4 *amended by adding at the end the following new subsection:*

5 “(k)(1) *Notwithstanding any other provision of this*
6 *Act, the Secretary is authorized to use funds appropriated*
7 *pursuant to this Act, including any available funds appro-*
8 *priated to the National Park Service for construction in*
9 *the Department of the Interior and Related Agencies Appro-*
10 *priations Acts for fiscal years 1991 through 1994 for project*
11 *modifications by the Army Corps of Engineers, in such*
12 *amounts as determined by the Secretary, to provide Federal*
13 *assistance to the State of Florida (including political sub-*
14 *divisions of the State) for acquisition of lands described in*
15 *paragraph (4).*

16 “(2) *With respect to any lands acquired pursuant to*
17 *this subsection, the Secretary may provide not more than*
18 *25 percent of the total cost of such acquisition.*

19 “(3) *All funds made available pursuant to this sub-*
20 *section shall be transferred to the State of Florida or a polit-*
21 *ical subdivision of the State, subject to an agreement that*
22 *any lands acquired with such funds will be managed in*
23 *perpetuity for the restoration of natural flows to the park*
24 *or Florida Bay.*

25 “(4) *The lands referred to in paragraph (1) are those*
26 *lands or interests therein adjacent to, or affecting the res-*

- 1 *toration of natural water flows to, the park or Florida Bay*
- 2 *which are located east of the park and known as the Frog*
- 3 *Pond, Rocky Glades Agricultural Area, and the Eight-and-*
- 4 *One-Half Square-Mile Area.”.*

Amend the title so as to read: “A bill to authorize the Secretary of the Interior to acquire certain lands in California through an exchange pursuant to the Federal Land Policy and Management Act of 1976, and for other purposes.”.